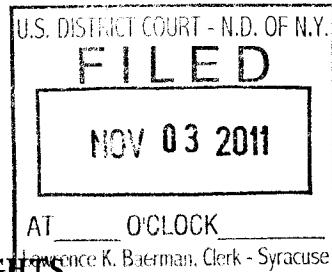


UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

Kevin, Paul, Gervasio )  
Plaintiff(s) )

vs. )

Rensselaer County Sheriff's Dept )  
Mr. Macelli / Mr. Horton )  
Defendant(s) )  
Mr. Smith / Mr. Weaver / Mr. Brewno )

INMATE AT \_\_\_\_\_ O'CLOCK  
CIVIL RIGHTS  
COMPLAINT PURSUANT  
PURSUANT TO  
42 U.S.C. § 1983

Case No. 9: 11 CV 1302

Plaintiff(s) demand(s) a trial by: ☒ JURY \_\_\_\_\_ COURT (Select only one).

Plaintiff(s) in the above-captioned action, allege(s) as follows:

## JURISDICTION

1. This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution of the United States. This action is brought pursuant to 42 U.S.C. § 1983. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1343(3) and (4) and 2201.

## PARTIES

2. Plaintiff: Kevin, Paul, Gervasio  
Address: Franklin Correctional facility  
62 Bare Hill Road. P.O. Box 10  
Malone N.Y. 12953

Additional Plaintiffs may be added on a separate sheet of paper.

3. a. Defendant: Mr. Brewno  
Official Position: Correctional Officer  
Address: Rensselaer County Correctional facility.  
4000 Main Street. P.O. Box 389  
Troy, New York, 12182

- b. Defendant: Howard, Smith  
Official Position: Captain  
Address: Rensselaer County Correctional Facility  
4000 Main Street. P.O. Box 389  
Troy, New York, 12182
- c. Defendant: Mr. Macelli  
Official Position: SGT, Sergeant  
Address: Rensselaer County Correctional Facility.  
4000 Main Street. P.O. Box 389  
Troy, New York, 12182

Additional Defendants may be added on a separate sheet of paper.

4. PLACE OF PRESENT CONFINEMENT

- a. Is there a prisoner grievance procedure at this facility?  
X Yes        No
- b. If your answer to 4a is YES, did you present the facts relating to your complaint in this grievance program?  
X Yes        No

If your answer to 4b is YES,

- (i) What steps did you take? I Did a grievance that I got  
From Sergeant Brown, and I spoke with the captain  
and he told me he will look into the said issues.
- (ii) What was the final result of your grievance? I never got a  
Final Response.

JA

Additional Defendants added..

3) Defendant: Mr. Weavier

Official Position: C/O Officer

Address: 4000 Main Street P.O. Box 389

Troy, New York, 12180

5) Defendant: Mr. Horton

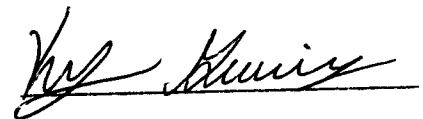
Official Position: C/O Officer

Address: 4000 Main Street P.O. Box 389

Troy New York 12180

6) Rensselaer County Sheriff's Dept.  
4000 Main Street P.O. Box 389  
Troy, New York, 12182

Respectfully Submitted:



If your answer to 4b is NO - why did you choose to not present the facts relating to your complaint in the prison's grievance program? I answered

yes.

- c. If there is no grievance procedure in your institution, did you complain to prison authorities about the facts alleged in your complaint?

☒ Yes ☐ No

If your answer to 4c is YES,

- (i) What steps did you take? I spoke with the captain,  
and a sergeant and I also did a grievance.  
And spoke to the captain several times.

- (ii) What was the final result regarding your complaint? it never came  
to where the issue got fixed.

If your answer to 4c is NO - why did you choose to not complain about the facts relating to your complaint in such prison? N/A

5. PREVIOUS LAWSUITS

- a. Have you ever filed any other lawsuits in any state and federal court relating to your imprisonment?

☐ Yes ☒ No

- b. If your answer to 5a is YES you must describe any and all lawsuits, currently pending or closed, in the space provided below.

For EACH lawsuit, provide the following information:

- i. Parties to previous lawsuit:

Plaintiff(s): N/A

Defendant(s): N/A

X

- ii. Court (if federal court, name District; if state court, name County):

N/A

- iii. Docket number: N/A

- iv. Name of Judge to whom case was assigned: N/A

- v. Disposition (dismissed? on appeal? currently pending?): N/A

- vi. Approximate date of filing prior lawsuit: N/A

- vii. Approximate date of disposition: N/A

6.

### FACTS


Set forth the facts of your case which substantiate your claim of violation of your civil and/or Constitutional rights. List the events in the order they happened, naming defendants involved, dates and places.


Note: You must include allegations of wrongful conduct as to EACH and EVERY defendant in your complaint. (You may use additional sheets as necessary).


Through out my stay, During the time between 12/17/2010  
intill 5/17/2011 I was in the custody of the Rensselaer  
County correctional facility. when I Entered into this county  
Jail I was put into I.P.C Per Captain Howard Smith, Because of  
on going case that were going on in the county and out of the county.  
While I was in IPC whice was a Special Housing unit, I was  
moved to the Box which is SHU west one unit for my actions.  
while I was in the SHU unit I was being verbally abused by  
the correctional officer's and other hire Ranking Officers as well.  
I had lots of on going court case's that which most of the  
officers knew, and I was also a known confidential informant  
By the officers I was also being used as A. next page.



Wintess on a serious case known as the Amanda Burns murder case. I also want it to be known while I was in the coustody of rensselaer county correctional facility, I was also being used on another case by the "WPD" watervilet police DEPT. And the captain of rensselaer county jail was well aware of this. Any how while in the 'SHU' unit their was alot of issues I was having with the staff which are known as the correctional officers. I was dealing with the co's coming to the unit taken the imates to rec, while the correctional officers were taking the inmates out of the 'shu' unit for 'REC' Theofficers would be giving out news about me that was suppose to be confidential, the officers were also telling the inmates that I was a rat, The co was also telling the inmates that I have other people in the jail right now that Kevin, P, Gervasio put in here by snitching on them. The co /correctional officer by the name of co/ Brewno that works the 7 to 3 shift at the time this was going on he was the officer saying the above things at this time. And he is also a normal 7to3 shift co that works the said shift, At this time he was known to be working as a west hall officer. He also use to come to the west one 'shu' housing unit to pick up mail to as well and would say things to me. Some times when he would pick up the mail he would yell out loud where every body could hear him, and he would say where is the "FAT RAT GERVASIO" and he would also say when he wakes up tell him know what I hate more then a rat is a fat rat. Some times when he would come to the unit I would be in my cell window but I would not respond to the things he was saying. One time he came to the west one "shu" housing unit and was showing put that I was in the TROY RECORD, which is the news paper for troy new york, Then he would give the paper to the inmates to keep. BRING THIS PAPER IS NOT ALOUD IN THE COUNTY JAIL, THEIR WAS A MEMO HANDED OUT THAT NO NEWS PAPERS IN THE JAIL OR ON THE HOUSING UNITS ALOUD. NOT THE TROY RECORD, AND THAT MEMO WAS GIVING OUT BY CAPTAIN H SMITH. Well also this abovecorrectional officer was saying to me if your not a rat why is their a man by the name of JOSPH WOODS, on the other side of the jail, with a statement saying you put him in here, For drugs and guns. HE WOULD SAY THIS STUFF IF FRONT OF ALL INMATES. As all this was going on I put in request forms to speak with captain H SMITH ABOUT THE ISSUE THAT I WAS HAVING. IT CAME A POING AND TIME WHERE I WOULD HAVE TO ACT OUT TO GET A TICKET IN ORDER TO SPEAK WITH THE CAPTAIN, AND WHEN I DID SPEAK WITH THE CAPTAIN I TOLD HIM WHAT WAS GOING ON HIS RESPONCE WAS I WILL LOOK INTO IT AND GET BACK TO YOU, AT THIS TIME I WENT BACK TO WEST ONE "SHU" HOUSING UNIT AND THINGS ONLY TO SEEM TO BE GETTING WORST, REASON

BEING IS THAT OTHER STAFF KNOWN AS CORRECTIONAL OFFICERS, WERE DOING THE SAME STUFF TO ME LIKE CO/WEAVIER WHILE HE WOULD WORK ON THE WEST ONE HOUSING UNIT, HE WOULD HARASS ME BY WALKING BY MY CELL EVERY 15 MINUTES SAYING STUFF LIKE WHY YOU TELL ON YOUR OWN MOTHER, YOU A SNITCH, YOU NO GOOD. AND I WOULD RESPOND I NEVER DID RAT ON MY MOTHER, HE WOULD SAY ALL KINDS OF STUFF TO ME WHILE ALL THE OTHER INMATES WERE LISTENING, (thinking it was funny) AND SOME OF THESE INMATES ARE WILLING TO BE MY WITNESS TO ALL SAID ACTIONS THAT WERE GOING ON AND WRONGFUL DOINGS. HE WOULD ALSO SAY IF YOU DID NOT RAT ON YOUR MOTHER WHY DID YOU RAT AND SIGN A STATEMENT ON THE GUY ON THE OTHERSIDE OF THE JAIL BY THE NAME OF WOODS, HE DID NOT SAY HIS FIRST NAME. AND HE WOULD SAY OK KEVIN GERVASIO IF YOU NOT TELLING ON HIM WHY ARE YOU TELLING ON A KID FOR A MURDER CASE, BECAUSE YOU KNOW THAT YOUR TESTIFYING AGAINST AJ THE ONE THAT YOU SAYING KILLED A PERSON BY THE NAME OF BURNS. SAID THAT YOU A WITNESS TO EVERY THING. HE WOULD ALSO SAY PLEASE DON'T TELL ON ME RAT. HE WOULD ALSO SAY THINGS LIKE YOU A NO GOOD RAT ALL YOU DO IS TELL ON PEOPLE, SOME DAY SOMEONE IS GOING TO KILL YOU. YOU CAN'T HIDE FOREVER HE WOULD STATE. AS HE WAS DONE SAYING STUFF HE WOULD GO INTO THE OFFICE ON THE WEST ONE HOUSING "SHU" UNIT AND GET ON THE PHONE WITH SOMEONE AND WHILE HE WOULD BE IN THIS OFFICE HE WOULD LEAVE THE OFFICE DOOR OPEN, AS HE WAS ON THE PHONE HE WOULD BE TALKING ABOUT ME TO WHO EVER HE WAS ON THE PHONE WITH, AND HE WOULD ALSO BE RELAYING MESSAGES FROM WHO EVER HE WAS TALKING TO ON THE OTHER LINE AND HE WOULD BE SAYING SOME WANTS TO KNOW IF YOU WANT SOME CHEESE YOU FAT RAT, AS THIS WAS GOING ON THERE IS AN INTERCOM ON THE WALL THAT ONLY THE MAIN CONTROL OFFICE CAN SPEAK INTO, AND WHILE HE WOULD BE ON THE PHONE WHO EVER WAS WORKING IN THE CONTROL OFFICE WOULD BE SAYING STUFF OVER THE INTERCOM ABOUT ME SO THAT ALL INMATES COULD HEAR WHAT WAS BEING SAID THESE OFFICERS WERE BEING VERY DISRESPECTFUL BY TALKING ABOUT MY MOTHER AND THAT I AM A SNITCH AND THAT SOMEONE IS GOING TO GET ME IT'S ONLY A MATTER OF TIME, THEY WOULD ALSO REPEAT THE SAME STUFF LIKE YOU BEING USED AS A WITNESS ON A TRIAL THIS COMING WEEK RAT. I WOULD YELL OUT LOUD WHO IS SPEAKING THEY WOULD NOT GIVE THEIR NAME OVER THE INTERCOM. SO I HAD TO KEEP DEALING WITH THE HARASSMENT GOING ON. LATER IN THE NIGHT A SGT DID HIS ROUNDS AND HIS NAME IS SGT BROWN WHEN HE DID HIS ROUNDS I ASKED HIM WHO IS WORKING IN THE CONTROL ROOM SAID HE DID NOT KNOW, AND HE ASKED ME WHY I TOLD HIM HE TOLD ME HE CAN'T GIVE OUT THAT INFO I SAID WELL IS THERE A WAY THAT I CAN FIND OUT WHO IS WORKING SO I PUT IN A REQUEST FORM TO SPEAK WITH CAPTAIN H SMITH AND WHILE I WAS WAITING TO SEE THE CAPTAIN, ANOTHER OFFICER BY THE NAME CAME TO THE WEST ONE UNIT AND HIS NAME WAS CO/ HORTON TO GIVE OFFICER WEAVIER A LUNCH BREAK,,,,, 

I ASKED CO/Horton HEY DO YOU KNOW WHO IS WORKING IN THE CONTROL ROOM HE THEN STATRED TO SAY HE DONT KNOW I THEN STATED I WILL FIND OUT, HE THEN WAKLED BACK TO MY CELL DOOR I SAID TO HIM IT SOUNDED LIKE YOU TALKING ON THE INTERCOM HE SAID DONT MAKE IT A BIG DEAL I WAS ONLY PLAYING,AND HE SAID TO ME YOUR NOT GOING TO GET ME IN TROUBLE FOR IT ARE YOU,(this officer also said that he was not the only one on the intercom.)I ASKED HIM WHAT WAS THE OTHER OFFICERS NAME AND HE DID NOT GIVE IT TO ME.THE THINGS THAT WERE BEING SAID OVER THE INTERCOM EVEN WHILE OFFICER WAS ON THE UNIT TO AS WELL IT WAS THE SAME STUFF HEY YOU FAT RAT GERVASIO YOU WANT SOME CHEESE,WHY DONT YOU STOP TELLING ON PEOPLE,AND THEN STUFF WAS BEING SAID LIKE GERVASIO YOUR OWN FAMILY HAS GOT TO HATE YOU DONT THEY.THIS WAS A ON GOING THING,IT WENT ON THE WHOLE TIME I WAS IN THE WEST ONE SHU HOUSING UNIT.I ALSO WANT IT TO BE KNOWN THAT AS CO/WEAVIER CAME BACK FROM HIS LUNCH BREAK WHICH IT IS TRUELY DINNER BUT WHEN HE DID RETURN HE WAS STATING OUT LOUD GERVASIO YOUR NAME IS IN THE PAPER AGAIN,IT STATES THAT YOUR A KNOWN (CI) THAT WORKS FOR THE POLICE DEPTS,AND IT STATE THAT YOU ARE TESTIFYING AGEIST THE AMANDA BURNS CASE.THIS WAS ALSO A ON GOING THING WITH THIS OFFICER AS WELL.EVERY TIME THIS OFFICER CAME IN TO WORK IT WOULD ALL START OVER AGAIN.THE NEXT DAY I ASKED TO SPEAK WITH A SGT AND WAS TOLD GOOD LUCK SO I SAID IF I DONT GET TO SPEAK TO A SGT I WILL MAKE YOURS CALL ONE AT THIS TIME IT WAS A DIFFERENT OFFICERS AND A SGT WAS NEVER CALLED SO DECIDE TO FLOD MY CELL TO GET A SGT TO RESPOND SO THAT I COULD SPEAK WITH HIM ABOUT WHAT WAS GOING ON.WELL I DID FLOD MY CELL AND A SGT BY THE NAME OF SGT.MACEELI CAME TO MY CELL HE SAID WHY ARE YOU ACTING LIKE THIS I TOLD HIM IS THEIR AWAY THAT I COULD GET A GRIVENCE FORM HE SAID WHY I TOLD HIM BECAUSE THE OFFICERS KEEP HARRESSING ME.HE THEN TOLD ME THAT MAYBE IF I STOP TELLING ON PEOPLE I WOULD GET MORE RESPECT I THEN TOLD HIM YOU SHOULD NOT BE A SGT AND I WANT TO SPEAK TO THE CAPTAIN,HE THEN STATED TO ME WHY WHAT YOU GOING TO DO TELL ON ME LIKE EVERY BODY EALSE. AND THEN CAME BACK TO MY DOOR BEFORE LEAVING THE SHU HOUSING UNIT AND SAID TELL ON ME AND YOU WILL GET YOURS.I THEN CALLED HIM A WOMEN BEATER. THEN AS TIME WENT ON SGT WOULD SOMETIMES DO HIS ROUNDS AND WALK BY MY CELL SAY DAMN THE RAT IS STILL ALIVE.THIS ALSO WAS A ON GOING THING WITH THIS SGT/MACEELI...

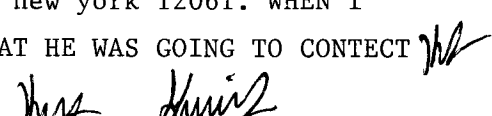
I THEN KNEW WHO I COULD TRY TO SPEAK TO ABOUT THE SAID MATTER AND THAT WOULD MAYBE HELP ME WITH GETTING A GRIVENCE.

NEXT PAGE





AFEW DAYS INTILL I SEEN THE OFFICER I MAY HAVE A CHANCE TO GET A GRIVENCE FORM FROM.ON THE 3TO11 SHIFT SGT BROWN DID HIS ROUNDS HE IS ALSO KNOWN AS THE K9 OFFICER IN THE COUNTY JAIL.AS THIS SGT DID HIS ROUNDS I ASKED HIM IF I COULD SPEAK WITH HIM ABOUT A FEW MATTERS.HE TOLD ME I WILL BE BACK IN A FEW THEN I WILL SPEAK WITH YOU.I THEN WAITED FOR HIMTWO COME BACK AND SPEAK WITH ME.WHEN HE DID COME BACK TO SPEAK WITH ME HE HAD MY CELL DOOR OPENED AND CAME INTO MY CELL TO SPEAK WITH ME.I TOLD HIM WHAT WAS GOING ON AND TOLD HIM WHAT I WAS DEALING WITH SAID TO ME THAT I WOULD HAVE TO SPEAK WITH THE CAPTAIN,I THEN TOLD HIM THAT I HAVE PUT IN SEVERAL REQUEST FORMS TO SPEAK WITH HIM AND IT SEEMS LIKE HES NOT GETTING THEM.SO I FILLED OUT A REQUEST FORM AND GAVE IT TO SGT SMITH AND HE MADE SURE THAT THE CAPTAIN GOT IT,I ALSO ASKED THIS SGT BROWN WHAT DO I GOT TO DO IN ORDER TO GET A GRIEVENCE FORM HE TOLD ME JUST ASK ME FOR ONE AND I WILL MAKE SURE THAT I GET YOU ONE IF I CAN FIND ONE,ISAID TO HIM I WOULD REALY LIKE A GRIEVENCE FORM,HE SAID I AM GOING TO DO MY ROUNDS WITHIN THE JAIL THEN I WILL STOP BACK AND BRING YOU THE FORM IF I CAN FIND ONE FOR YOU.LATER THAT NIGHT SGT BROWN SOME TIME AFTER DINNER CAME BACK TO MY CELL AND GAVE ME THE FORM AND WHEN HE DID HE SAID FILL IT OUT AND I WILL BE BACK TO GET IT FROM YOU SO THAT WAY IT GETS TO THE RIGHT PLACE.I FILLED IT OUT AND TURNED IT OVER TO SGT BROWN,AFEW DAYS AFTER TURNING IT OVER TO SGT BROWN I WAS CALLED DOWN TO THE CAPTAINS OFFICE,WHEN I GOT TO THE CAPTAINS OFFICE HE TOLD ME TO SIT THE CAPTAIN SAID LISTEN I GOT YOUR REQUEST THAT YOU NEED TO SPEAK TO ME AND I ALSO GOT YOUR GRIEVENCE,I WILL LOOK INTO THE STUFF THAT YOU STATED IS GOING ON AND I WILL GET BACK TO YOU BUT AS OF RIGHT NOW YOU NEED TO UNDERSTAND IF YOU WERE NOT IN TROUBLE ALL THE TIME MAYBE YOU WOULD NOT HAVE TO TELL ON SO MANY PEOPLE.HE SAID TO ME STAY OUT OF JAIL AND I WILL NOT HAVE TO DEAL WITH THESE THINGS.I TOLD HIM STUFF THAT IS GOING ON IS NOT SUPPOSE TO BE HAPPENING YOUR OFFICERS ARE WRONG.MAYBE I WOULD NOT BE ACTING LIKE A JERK IF YOUR OFFICERS WOULD LEAVE ME ALONE AND JUST LET ME DO MY TIME. WELL I THEN RETURNED BACK TO MY UNIT WHICH WAS SHU WEST ONE HOUSING UNIT. IT SEEMED TO ME THAT EVERYTHING WAS JUST MORE INTENCE WITH ALL THE OFFICERS AND ALSO THE INMATES AS WELL.THIS ALL WENT ON FROM THE DATES OF 12/18/2010 intill 5/18/2011.I HAVE WROTE TO THE CAPTAIN ABOUT THE ISSUES AND I HAVE ALSO SPOKE TO ALL THE SGTs WITHIN THE JAIL ABOUT THIS ISSUE,AND I TRIED TO DO THE RIGHT STEPS BUT I FILL THAT I COULD DO ALL I DID,I ALSO SPOKE TO MY LAWYER ABOUT THIS ISSUE WHILE IT WAS GOING ON AND HIS NAME IS ANDREW S. JACOBS ADDRES IS 570 coulmbia tpak eastgreenbush new york 12061. WHEN I SPOKE WITH HIM ABOUT WHAT WAS GOING ON HE TOLD ME THAT HE WAS GOING TO CONTECT




THE DISTRICT ATTORNEY IN RENSSELAER COUNTY, I TOLD HIM THAT THIS IS GETTING REAL TENCE,I WAS THEN BROUGHT OVER TO THE RENSSELAER COUNTY COURT TO SPEAK WITH THE DISTRICT ATTORNEY ABOUT A CASE THAT WAS GOING ON IN THEIR SAID COURT ROOM,AT THE TIME OF MEETING WITH THE DA ONE OF THE LAWYERS FROM ANDREW S JACOBS LAW FIRM CAME AND HIS NAME WAS MARK PORTLAND AND HE SET IN WHILE I WAS SPEAKING WITH THE DA'S OFFICE. I TOLD THE DA THAT I AM DEALING WITH ALOT IN THE COUNTY JAIL TOLD THEM JUST WHAT WAS GOING ON AND MY LAWYER SAID TO THE DA WHAT ABOUT TRYING TO HOUSE ME OUT TO ANOTHER JAIL, SENSE I AM GONNA BE TESTIFYING AT A TRAIL THAT IS COMING UP IN A FEW WEEKS, THE DA'S OFFICE STATED TO ME AND MY ATTORNEY AT THAT TIME THAT THEY WERE GOING TO CONTECT THE COUNTY JAIL AND SPEAK WITH CAPTAIN SMITH AND HAVE HIM HOUSE ME OUT BECAUSE OF THE CASE THAT WAS GOING ON.I THEN WENT BACK TO THE COUNTY JAIL AND WAS EXPECTING TO BE HOUSED OUT WITH IN THE NEXT FEW DAYS. I THEN CONTECTED MY LAWYERS OFFICE AND ASKED WHAT WAS GOING ON WITH ME BEING MOVED TO ANOTHER JAIL. MARK PORTLAND TOLD ME HE WAS GOING TO CONTECT THE DA'S OFFICE SOON AS HE GETS OFF THE PHONE WITH ME. I THEN EVEN WROTE A LETTER TO THE RENSSELAER COUNTY DISTRICT ATTORNEYS OFFICE, ASKING THEM WHY AM I STILL IN THIS JAIL, AND I TOLD THEM ALSO THE PROBLEM I WAS HAVING AGAIN.AFEW DAYS AFTER SENDING THE DA'S OFFICE THAT LETTER I WAS THEN BROUGHT OVER TO THE DA'S OFFICE TO SPEAK ABOUT THE MURDER CASE AND WHILE I WAS SPEAKING THE QUESITION CAME UP WHY HAVE I NOT YET BEEN MOVED OUT OF RENSSELAER COUNTY JAIL AND HOUSED OUT LIKE I WAS TOLD I WAS GOING TO BE.THE DA THAT WAS SPEAKING WITH ME AND MY LAWYER AT THE TIME AND HIS NAME WAS MARK PORTLAND THE DA THEN TOLD ME THAT THE ONLY REASON I WAS NOT HOUSED OUT IS BECAUSE HE THE DA SPOKE WITH CAPTAIN H SMITH AND MR.SMITH STATED THAT HE IS NOT HOUSING ME OUT AND IF THE DA'S OFFICE WANTS TO PAY TO HOUSE ME OUT THEN THATS UP TO THEM.SO THAT WAS THE REASON I WAS NOT HOUSED OUT.I ALSO WANT IT TOBE KNOWN THAT CAPTAIN SMITH WAS WELL AWARE OF WHAT WAS GOING ON. (U)


ALSO I WANT IT TO BE KNOWN OF SOMETHING EALSE THAT WENT ON IN THE COUNTY JAIL.WHILE I WAS ON THE WAST ONE HOUSING UNIT KNOWN AS THE SHU UNIT.I GOT OUT OF MY CELL AND GOT TO TAKE A SHOWER.WHILE I WAS OUT I COUGHT A TICKET FOR GIVEING ANOTHER INMATE A UNIFORM BECAUSE HE WAS COULD,BUT WHILE I WAS OUT I GOT INTO THE SHOWER AND RETURNED BACK TO ME CELL.WHILE I WAS WAS IN MY CELL THE SGT AND A CO GAVE ME A TICKET.I WAS THEN BROUGHT TO THE CAPTAINS OFFICE FOR A HEARING ON THE TICKET.AND WHILE I WAS HAVE THE SUCH HEARING I ASKED COULD I SEE THE VIDEO HE SAID TO ME SURE AS HE WAS SHOWING ME THE VIDEO I NOTICE THAT I WAS BEING RECORDED IN THE SHOWER AND IN THE SHOWER AREA I KNOW THAT YOU ARE NOT ALOUD TO HAVE A CAMRA POINTED AT OR NEAR A BATHROOM OR SHOWER AREA.I AM SURE THAT ME BEING RECORD WHILE BE NAKED IN THE SHOWER

*[Handwritten signature]*


AND ALSO IN THE SHOWER AREA, I AM SURE THAT SOME WHERE ALONG THE LINE A FEW OF MY RIGHTS WERE violated, AND THIS IS THE REASON I AM FILLING THIS.

I ALSO WANT IT TO BE KNOWN THAT I HAVE WITNESSES THAT THIS STUFF WAS GOING ON THE PEOPLE THAT WINTESSED THIS ABOVE SAID STUFF THAT I HAVE STATED HAPPENED THEY WERE INMATES THAT WERE IN THE COUNTY JAIL WITH ME. THEIR NAMES ARE AS FOLLOW JOHNTHAN MITCHELL,2)CASY DODGE,3)JACOB SMITH,4)AND SGT BROWN.AND A CO BY THE NAME OF SMITHY THAT WORKED THE 3TO11 SHIFT IN THE SHU UNIT SOME TIMES . THESE ARE PEOPLE THAT I AM SURE KNOW WHAT WAS GOING ON.IF I HAD TO PICK WHO I WOULD CALL TO BE MY WITNESS IT WOULD BE THE INMATES THEIR ARE ALSO MORE INMATE BUT I DONT HAVE THEIR NAMES.I CAN ALSO PROVE THAT RECORDING OF ME IN THE SHOWER AND IN THE SHOWER AREA BY THE VIDEO TAPES THAT ARE HELD IN THE COUNTY.I ALSO SPOKE TO SGT BROWN ABOUT THE ISSUE OF BEING RECORDED IN THE SHOWER HE SAID HIS SELF THAT THEY CAN NOT DO SUCH<sup>TO</sup> A THING BECAUSE IT WOULD BE AGENST MY RIGHTS.<sup>TO</sup>

ALSO I WANT IT TO BE KNOWN THAT I USE TO GET VISTS IN THE COUNTY JAIL AND I WAS NOT SUPPOSE TO BE AROUND A MAN BY THE NAME OF JOSPH WOODS AND A MAN BY THE NAME OF AJ RIVIRA, WELL ALL THE CO'S WERE AWARE OF THIS AND SO WAS THE CAPTAIN OF THE JAIL AND FOR SOME ODD REASON I WAS ALWAYS BEING BROUGHT DOWN THE HALL TO THE VIST ROOM WITH A MAN BY THE NAME OF JOSPH WOODS.I WAS NOT TO BE AROUND HIM BECAUSE I WAS A WITNESS ON A CASE THAT HIS WAS IN FOR AND HE KNEW IT.I AM SURE THE THE CAPTAIN WAS AWARE THAT I WAS NOT TO HAVE ANY CONTECT WITH THIS INMATE BECAUSE A CAPTAIN FROM THE WATERVILET POLICE DEPT CALLED HIM THE FIRST DAY I CAME INTO THEIR COUSTODY AND TOLD HIM TO DO NOT HAVE ME NEAR THIS INMATE. THE OFFICER WILL EVEN TESTIFY TO THAT HIS NAME IS JAKE WATSON A DEA OFFICER OUT OF WATERVILET PD HIS PHONE NUMBER IS 5183652875 and his office phone number is 5182703833, I DONT UNDERSTAND WHY THE RENSSELAER COUNTY JAIL WAS DOING THE THINGS THEY WERE,SOME COULD OF GOT SERIOUSLY HURT,I WISH THAT SOMETHING BE DONE WITH THIS. THIS STATEMENT IS ALL THE TRUTH AND NOTHING BUT THE TRUTH I WILL TESTIFY TO THIS STATEMENT WHEN IT BECOMES TIME TO... 



11-A-2353

  
Kevin, P. Gervasio

7.

#### CAUSES OF ACTION

Note: You must clearly state each cause of action you assert in this lawsuit.

##### FIRST CAUSE OF ACTION

- 1) For Harassing me. But the Harassing was that the Correctional Officer's were coming to the unit I was on talking about me by say's I'm a Scum bag, a Rat, snitch, this went on for the hole period of time I was in the Rensselaer County Jail.

##### SECOND CAUSE OF ACTION

- 2) Telling people Confidential information about me.. like I'm being used at a trial coming up, telling me out loud in from of the unit and on intercom that I am nothing but a informant, Rat and that all I do is work with the police angecy's.

##### THIRD CAUSE OF ACTION

- 3) The Jail viedoing me while in the Shower and Shower area. And it's is Recorded into their viedo system.
- 4) For giving inmate's Articals out of the troy City. Record, whice is prohibited with in the county Jail.



8. PRAYER FOR RELIEF

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:

I Request that the Defendants explain why they were  
doing such act's, And what Right's they got doing so.  
And I would like to sue the Defendants and the Rensselaer  
County Jail for their act's.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: \_\_\_\_\_

Kevin Gervasio

Kevin, Gervasio

Signature of Plaintiff(s)  
(all Plaintiffs must sign)

02/2010